

I have read the FCC's Notice of Proposed Rule Making in ET Dockets 03-104 and 04-37 pertaining to Broadband Over Powerline (BPL). I was stuck by the fact that only those with a vested financial interest in promoting BPL failed to acknowledge that at least some BPL installations have been demonstrated to produce HF radio interference. This interference isn't just theory; it is demonstrated fact. The American Radio Relay League (ARRL) has even submitted tape recordings of the type of overwhelming interference that can be produced by BPL installations.

Beginning with the evidence that BPL is, in fact, associated with HF radio interference, and the additional fact that BPL deployment is moving forward, it becomes essential to regulate this new technology in ways that provide immediate to licensed users of radio spectrum when (not if) their operations are interferenced with by BPL.

It is imperative that BPL providers abide by existing Part 15 rules, or more stringent regulations, and that special additional actions be taken by FCC to protect licensed spectrum users, including the following:

1. FCC regulations must be written to be absolutely clear about who is responsible for taking complaints of BPL interference, processing and assessing those complaints, and eliminating BPL interference. These regulations must also include the requirement that BPL providers' contact information (e.g., telephone numbers, e-mail addresses) be readily available and easy for the average citizen to find.
2. The time allowed for these steps to proceed must also be specified. It is not sufficient to use such wording as "swiftly" or "in a reasonable period of time," particularly as the response time of power line companies to radio frequency interference from existing technologies is notoriously slow, often nonexistent until legal action is taken.
3. It is also important that the type of relief provided to licensed spectrum users who are afflicted with BPL interference be specified in no uncertain terms in the regulations. It is not sufficient to use such words as "mitigate" or "reduce" when, in fact, licensed radio services have the right to expect that interference will be absolutely eliminated.
4. The regulations under which BPL providers must include provisions for the retrofitting of existing equipment and installation of new equipment with the ability to immediately and remotely notch out frequency bands on which interference is reported in any given locale.
5. Finally, it is critical that it be understood by subscribers to BPL that they must accept service disruptions resulting from interference to BPL from licensed spectrum users and from shut-downs required in order to eliminate BPL-produced interference to licensed services. These warnings should not be buried in fine print; they should be salient. Moreover, BPL providers should be required to publish pamphlets describing the regulations and rules under which BPL operates and make these pamphlets available free of charge to licensed spectrum users so that these licensed users may provide the information to unhappy BPL subscribers when their service is disrupted.